

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

400C0210

## SENATE AGRICULTURE AND NATURAL RESOURCES COMMITTEE ENGROSSED NO.

### HB1039 - 2/16/99

Introduced by: The Committee on Agriculture and Natural Resources at the request of the  
Department of Game, Fish, and Parks

1 FOR AN ACT ENTITLED, An Act to repeal the licensing of resident and nonresident  
2 professional dog trainers, to restrict the training of dogs on wild game birds, and to repeal  
3 certain big game licensing requirements.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 41-6-78 be amended to read as follows:

6 41-6-78. ~~The Department of Game, Fish and Parks may issue any resident, as defined by this~~  
7 ~~title, a resident professional dog training license. The license permits the licensee to train or~~  
8 ~~engage in the business of training hunting or field trial dogs when and where wild game is found.~~  
9 ~~For purposes of this section, a professional dog trainer is any person who trains or sells any~~  
10 ~~breed of hunting dog for remuneration. The license shall be issued annually. No licensee may be~~  
11 ~~allowed to No person may train dogs on wild game birds from April fifteenth to July thirty-first,~~  
12 ~~inclusive. The licensee shall comply with rules adopted pursuant to § 41-2-18 by the Game, Fish~~  
13 ~~and Parks commission to protect and perpetuate the wild game resources of the state. Such rules~~  
14 ~~may limit the number of licenses issued and further restrict professional dog training on public~~  
15 ~~lands. Failure to comply with such rules or the provisions of this section shall be cause for~~

1 ~~revocation of license and nonissuance of future licenses. No person may train dogs on wild game~~  
2 ~~birds from April fifteenth to July thirty-first, inclusive. The commission shall promulgate rules~~  
3 ~~pursuant to chapter 1-26 to impose restrictions on the methods, dates, and number of dogs that~~  
4 ~~may be trained on wild game birds on public lands and public rights-of-way. Any person who~~  
5 violates this section is guilty of a Class 2 misdemeanor.

6 Section 2. That § 41-6-79 be repealed.

7 ~~— 41-6-79. The department of game, fish and parks may issue any nonresident a nonresident~~  
8 ~~professional dog training license. The nonresident professional dog training license entitles the~~  
9 ~~licensee to all the privileges and is subject to all the restrictions and penalty provisions as the~~  
10 ~~resident professional dog training license provided by § 41-6-78.~~

11 Section 3. That § 41-6-10 be amended to read as follows:

12 41-6-10. Licenses, permits, and stamps issued under this title are classified as follows:

- 13 (1) Disabled hunter permit;
- 14 (2) Export bait dealer license;
- 15 (2A) Fall three-day temporary nonresident waterfowl license;
- 16 (3) Fur dealer's license;
- 17 (4) Hoop net, trap or setline license;
- 18 (5) License for breeding and domesticating animals and birds;
- 19 (6) License to take fur-bearing animals;
- 20 (7) Nonresident big game license;
- 21 (8) Nonresident fishing license;
- 22 (9) Nonresident predator/varmint license;
- 23 (10) ~~Nonresident professional dog training license;~~
- 24 (11) Nonresident retail bait dealer license;
- 25 (12) Nonresident shooting preserve license;

- 1 (13) Nonresident small game license;
- 2 (14) Nonresident and resident migratory bird certification permit;
- 3 (15) Nonresident wholesale bait dealer license;
- 4 (16) Nonresident wild turkey license;
- 5 (17) Nursing facility group fishing license;
- 6 (18) Park user's license;
- 7 (19) Permit for transportation of big game animal;
- 8 (20) Private fish hatchery license;
- 9 (21) Resident big game license;
- 10 (22) Resident elk license;
- 11 (23) Resident fishing license and resident senior fishing license;
- 12 (24) ~~Resident professional dog training license;~~
- 13 (25) Resident retail bait dealer license;
- 14 (26) Resident small game license and resident youth small game license;
- 15 (27) Resident predator/varmint license;
- 16 (28) Resident wholesale bait dealer license;
- 17 (29) Resident wild turkey license;
- 18 (30) Scientific collector's license;
- 19 (31) Special nonresident waterfowl license;
- 20 (32) ~~Special Pine Ridge Indian reservation resident and nonresident big game license;~~
- 21 (33) Taxidermist's license;
- 22 (33A) Spring five-day snow goose temporary nonresident waterfowl license;
- 23 (34) Temporary fishing and hunting licenses.

24 The rights and privileges of such licensees are set forth in §§ 41-6-12 to 41-6-45.1, inclusive,  
25 and in § 41-17-13. The Game, Fish and Parks Commission shall promulgate rules pursuant to

1 chapter 1-26 to set the fees, eligibility, and duration for such licenses.

1 **BILL HISTORY**

2 1/12/99 First read in House and referred to Agriculture and Natural Resources. H.J. 39

3 2/4/99 Scheduled for Committee hearing on this date.

4 2/4/99 Agriculture and Natural Resources Do Pass Amended, Passed, AYES 12, NAYS 0.

5 H.J. 364

6 2/8/99 House of Representatives Deferred to another day. H.J. 419

7 2/9/99 Motion to Amend, Passed. H.J. 442

8 2/9/99 House of Representatives Do Pass Amended, Passed, AYES 52, NAYS 13. H.J. 442

9 2/10/99 First read in Senate and referred to Agriculture and Natural Resources. S.J. 422

10 2/16/99 Scheduled for Committee hearing on this date.

11 2/16/99 Agriculture and Natural Resources Do Pass Amended, Passed, AYES 9, NAYS 0.

12 S.J. 493